

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

STEVEN RAYMOND LYONS,

Petitioner,

Case No. 2103-cv-328  
Hon. David W. McKeague

v.

DAVID JAMROG,

Respondent.

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**ORDER APPROVING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

This case presents a petition of a state prisoner for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The magistrate judge issued a Report and Recommendation in this case on November 29, 2004. The Court has reviewed the Report and Recommendation filed by the magistrate judge in this action. The Report and Recommendation was duly served on the parties and no objections have been filed.<sup>1</sup> The Court finds the Report and Recommendation to be well-reasoned and in accord with the applicable law. Now therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation of the magistrate judge is **APPROVED** and **ADOPTED** as the opinion of the Court, pursuant to 28 U.S.C. § 636(b)(1) and W.D. Mich. L. Civ. R. 72.

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<sup>1</sup> On December 20, 2004, eleven days after the time to file objections to the report and recommendation had passed, petitioner filed a motion to “stay” the report and recommendation so he could file a motion to amend his habeas petition or later file a “response” to the report and recommendation. The magistrate judge denied the motion to “stay” the report and recommendation on May 13, 2005. The magistrate judge noted that petitioner’s expressed intent to file an amended petition was not grounds for issuing a “stay” of the report and recommendation or for granting an indeterminate extension of time to file objections to the report and recommendation. The Court agrees with the magistrate judge.

**IT IS FURTHER ORDERED** that defendant's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is hereby **DENIED**.

Dated: May 27, 2005

/s/ David W. McKeague  
DAVID W. McKEAGUE  
UNITED STATES DISTRICT JUDGE